

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NEIL STANICH, BOBBIE JEAN STANICH,	:	
and DANTE FREZZA, on behalf of themselves	:	
and all others similarly situated,	:	Case No. 1:06cv962
	:	
	:	
Plaintiffs,	:	JUDGE KATHLEEN O'MALLEY
	:	
v.	:	
	:	
TRAVELERS INDEMNITY COMPANY	:	
OF AMERICA and THE STANDARD FIRE	:	<u>ORDER</u>
INSURANCE COMPANY,	:	
	:	
Defendants.	:	

Before the Court are Plaintiffs' *Motion for Leave of Court to File First Amended Class Action Complaint* ("Motion to Amend") (Doc. 66) and Plaintiffs' *Motion to Shorten Time Period to Respond* to the aforementioned motion (Doc. 67), both of which were filed on March 26, 2007. A class certification hearing in this matter is scheduled for April 10, 2007, with simultaneous supplemental class certification briefs to be filed on April 2, 2007. Because the resolution of Plaintiffs' Motion to Amend potentially will add a new defendant and/or alter the proposed class(es) to be certified, the Court finds it appropriate to convert the April 10, 2007 hearing into a hearing to address Plaintiffs' Motion to Amend.¹ Accordingly, that hearing will go forward on the same date and time as previously scheduled, but will address Plaintiffs' Motion to Amend instead of class certification issues. In addition, the Court hereby **ORDERS** the following:

¹ Plaintiffs did not object to this change, and Defendants indicated that they would defer to the Court's plan.

- (1) Plaintiffs' *Motion to Shorten Time Period to Respond* (Doc. 67) is **GRANTED in part**. In order to have a written response brief before the April 10 hearing and permit the Court enough time to consider the merits of this somewhat complex issue, Defendants must file a response no later than **April 5, 2007 at 2:00 p.m.** Plaintiffs can offer their arguments in reply to Defendants' response orally at the hearing on April 10.
- (2) The current deadline of April 2, 2007 for the submission of supplemental class certification briefs is hereby **VACATED**. At the April 10 hearing, the Court will schedule a new date for a class certification hearing as well a new deadline for the submission of class certification briefs.
- (3) Defendants' *Motion for Leave to File Enlarged Class Certification Brief* (Doc. 65) is **GRANTED**.

IT IS SO ORDERED.

s/Kathleen M. O'Malley

KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: March 30, 2006